

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MIGUEL RUALES,

Plaintiff,

v.

SPENCER SAVINGS BANK,

Defendant.

Civ. No. 18-9192 (KM) (MAH)

OPINION & ORDER

KEVIN McNULTY, U.S.D.J.:

Pro se plaintiff Miguel Ruales has moved (DE 95), and defendant Spencer Savings Bank (“Spencer”) has cross-moved (DE 99) for summary judgment. I did not rule on those motions. Rather, in a prior Opinion and Order, I considered whether the plaintiff had had a fair opportunity to respond to certain evidence submitted by Spencer. (DE 101) I directed Magistrate Judge Hammer, whose prior rulings were implicated, to consider whether additional discovery and supplemental submissions should be permitted. Judge Hammer immediately entered an order authorizing Mr. Ruales to propound certain written discovery, and setting a schedule for any supplementary summary judgment submissions. (DE 102) The summary judgment motion and cross-motion, as things stand, are not ripe for decision.

In the interest of efficient case management, then, I will enter the following order.

ORDER

IT IS this 22d day of December, 2021,

ORDERED as follows:

1. The motion and cross-motion for summary judgment (DE 95, 99) are ADMINISTRATIVELY TERMINATED without prejudice. They may be restored to the calendar by means of a simple letter to the Court.

2. On or before January 31, 2022, counsel for Spencer shall inform the Court in writing as to the status of the matter, *i.e.*, whether the parties (a) wish to restore the summary judgment motions to the calendar as-is, or (b) have engaged in further discovery and wish to supplement their submissions or resubmit their motions in revised form.
3. If (b), the parties shall complete any further discovery and shall submit any supplemental papers on the schedule set by Judge Hammer.

/s/ Kevin McNulty

Kevin McNulty
United States District Judge